

EXHIBIT P

Exhibit P to the Declaration of Olivia Weber

Unredacted version of document

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

SNMP RESEARCH, INC. and SNMP
RESEARCH INTERNATIONAL, INC.,

Plaintiffs,
v.

BROADCOM INC.; BROCADE
COMMUNICATIONS SYSTEMS LLC; and
EXTREME NETWORKS, INC.

Defendants.

Case No. 3:20-cv-00451

**BROCADE COMMUNICATIONS SYSTEMS LLC'S SECOND SUPPLEMENTAL
RESPONSES AND OBJECTIONS TO SNMP RESEARCH, INC.'S FIRST SET OF
INTERROGATORIES**

Defendant Brocade Communications Systems LLC ("Brocade"), by and through its attorneys, and pursuant to Rule 33 of the Federal Rules of Civil Procedure, hereby provides supplemental responses and objections to Plaintiff SNMP Research, Inc. ("SNMP") First Set of Interrogatories ("Interrogatory" or "Interrogatories"), served on December 26, 2020.

PRELIMINARY STATEMENT

1. Brocade's investigation and development of all facts and circumstances relating to this action is ongoing. These responses and objections are made without prejudice to, and are not a waiver of, Brocade's right to rely on other facts or documents at trial. These responses and objections, while based on diligent inquiry and investigation by Brocade, necessarily reflect only

HIGHLY CONFIDENTIAL INFORMATION

the current state of Brocade's knowledge, understanding and belief based upon the information reasonably available to Brocade at this time. Thus, Brocade expressly reserves the right to supplement, clarify, revise, or correct any or all of the responses as new information is learned.

2. By making the accompanying responses and objections to SNMP's Interrogatories, Brocade does not waive, and hereby expressly reserves, its right to assert any and all defenses, including that the Court lacks personal jurisdiction over Broadcom and venue is improper. Brocade serves these responses and objections in reliance on prior representations made by counsel for Plaintiffs that they will not argue that such responses and objections constitute a waiver of any such defenses. Moreover, these responses and objections are served pursuant to the Court's June 25, 2021 ruling, which specified that "Defendants' participation in discovery while their motions to dismiss are pending (including propounding their own discovery) or the entry of a protective order will not be construed as a waiver of their personal jurisdiction or improper venue defenses." ECF No. 75 at 16-17. By making the accompanying responses and objections to Plaintiffs' Interrogatories, Brocade does not waive, and hereby expressly reserves, its right to assert any and all objections as to the admissibility of such responses into evidence in this action, or in any other proceedings, on any and all grounds including, but not limited to, competency, relevancy, materiality, and privilege. Further, Brocade makes the responses and objections herein without in any way implying that it considers the Interrogatories or responses thereto to be relevant or material to the subject matter of this action.

3. Brocade's responses are amended to conform to Judge Poplin's April 22, 2022 Memorandum and Order on Plaintiffs' Motion to Compel ("April 22, 2022 Order"), as Brocade reasonably understands it. However, by making such amendments, Brocade reserves its right to

challenge the April 22, 2022 Order as may be permissible by law or applicable rules and/or to seek further relief or clarification as needed.

4. Per the April 22, 2022 Order, Brocade is limiting its discovery responses to Brocade Communications Systems LLC and Broadcom, Inc. Brocade understands from Plaintiffs that software provided by Plaintiffs pursuant to other license agreements with Broadcom Corporation and CA, Inc.—two Broadcom, Inc. affiliates—is excluded from their discovery requests as those license agreements are not the subject of their Complaint. Moreover, no other affiliate of Broadcom, Inc. or Brocade Communications Systems LLC (more than 150 entities identified in organization charts produced to Plaintiffs) is relevant to this action as they are not parties to this action, there is no allegation pertaining to them in the Complaint, and the subject matter of the Complaint concerns a license agreement between Brocade and SNMP Research International, Inc. and Brocade’s divestiture to Extreme Networks.

5. Brocade responds to each Interrogatory as it reasonably interprets and understands the Interrogatory. If SNMP subsequently asserts an interpretation of any Interrogatory that differs from Brocade’s understanding, Brocade reserves the right to supplement its responses and objections thereto.

6. Based on Plaintiffs’ explanations regarding the meaning of “Partner Products” in their Motion to Compel and the parties’ meet and confer discussions, where applicable, Brocade will construe the term “Partner Products” to refer to “the products identified in Paragraph 64 sold under other [third-party] brands”. (Motion to Compel at p. 16; *see also* Weber 7/20/21 email (defining “Partner Products” as products that “Brocade ships...through other OEMs under that OEM’s brand.”).

HIGHLY CONFIDENTIAL INFORMATION

7. Plaintiffs allege the works listed in Table 1 of their Complaint (ECF No. 1 at 7) are subject to copyright protection and were registered with the United States Copyright Office. These works, as well as the software version allegedly provided to Brocade under the License Agreement at issue, were not made available by Plaintiffs for review until April 22, 2022, and are still being reviewed and analyzed by experts retained by the parties in this case. As of today, Brocade does not know the contents of those works or the similarities and differences among them. Thus, as indicated above, Brocade reserves the right to supplement, clarify, revise, or correct any or all of the responses as new information is learned regarding Plaintiffs' allegedly copyrighted works.

8. The term "License Agreement" means the license agreement, as amended, attached as Exhibit A to Plaintiffs' Complaint.

9. These responses do not include information prior to 2017, as Brocade understands Plaintiffs are not seeking information prior to 2017.

RESPONSES AND OBJECTIONS TO INTERROGATORIES

INTERROGATORY NO. 1:

Identify all Brocade Products that contain, use or are otherwise associated with SNMP Research Software either as manufactured or as a result of a software or firmware installation or update. This includes any Brocade Products that have ever at any time fit the above description, whether in current distribution or not. For each Product Identified, please include the name, model, material code, material description, all release numbers, date of each release, date of first customer shipment, date of end of support where applicable, target operating system and processor, software or firmware release version, and operating system and processor for cross development tools.

SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1:

Brocade objects to this Interrogatory to the extent the categories required to be identified are not maintained or tracked by Brocade using the same terminology or otherwise. However, Brocade is not withholding information on this basis but rather responding to this Interrogatory by providing substantially similar information maintained or tracked by Brocade. Brocade further objects to this Interrogatory as seeking premature expert discovery, analysis, and opinion, including expert analysis of Plaintiffs' software and/or source and comparison of Plaintiffs' software and/or source code to Brocade's software used in Brocade's products. Brocade is withholding expert discovery, analysis, and opinion until expert disclosures are due under the Scheduling Order, and reserves its right to supplement, clarify, revise, or correct any or all of the responses based on that expert work if necessary. Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action, but is not withholding information pursuant to this objection.

Subject to and without waiving these objections, Brocade responds as follows:

Per the April 22, 2022 Order, Brocade construes the terms "You," "Your," and "Brocade" to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. As an initial matter, Brocade's customers do not receive source code, including any source code provided to Brocade by SNMP Research, Inc. ("SNMPRI") under the License Agreement, when they buy Brocade's products. Rather, older versions of Brocade's Fabric Operating System (FOS) have used software provided to Brocade by SNMPRI under the License Agreement, but Brocade has replaced the software provided by SNMPRI under the License Agreement with free, open source software provided by Net SNMP. The products listed below ran FOS after January 1, 2017. Brocade does not know the contents of the works listed in Table 1

HIGHLY CONFIDENTIAL INFORMATION

of Plaintiffs' Complaint as those works are in Plaintiffs' possession and currently subject to expert review and analysis. The extent to which older FOS versions and/or products running FOS did or did not use SNMP Research software is subject to expert review and analysis of the source code and make files that were produced by the parties on April 22, 2022.

Product Name/ Family	Description	Fabric Operating System ("FOS") - Debut Release Version	CPU Type	First Customer Shipment Date	Last Customer Shipment Date
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Brocade generally continues to offer and provide support for the End-of-Life products five years from the Last Customer Ship date. EOL notices for the Brocade SAN product line can be found here: <https://www.broadcom.com/support/fibre-channel-networking/eol>.

There were subsequent FOS releases compatible with the products identified in this response after the debut release provided in the table above. Additional information regarding FOS releases can be found in the document attached as Exhibit A hereto (Brocade Software Release Support and Posting Matrices, Reference Manual, Version 2.8, March 18, 2022), including the dates each release was first posted and made available to entitled Brocade customers. Pursuant to Federal Rule of Civil Procedure 33(d), Brocade has also produced non-privileged “Release Notes” for FOS releases dating back to before January 1, 2017, which list the products compatible with the release. Moreover, pursuant to Judge Poplin’s order on March 28, 2022, Brocade has provided FOS source code versions going back to January 1, 2017 for inspection, and voluntarily provided corresponding binary files as well. The manifests accompanying the source code and binary code production further identify the source code and binary files produced by file name and file path. Additional identifying information regarding the products identified above is also publicly available and can be found at www.broadcom.com. For example:

<https://docs.broadcom.com/doc/12381116>

<https://www.broadcom.com/products/fibre-channel-networking/switches/6520-switch>

<https://www.broadcom.com/products/fibre-channel-networking/extension/7840-extension-switch>

<https://www.broadcom.com/products/fibre-channel-networking/switches/g610-switch>

<https://www.broadcom.com/products/fibre-channel-networking/switches/g620-switch>

<https://www.broadcom.com/products/fibre-channel-networking/directors/x6-directors>

<https://www.broadcom.com/products/fibre-channel-networking/switches/g630-switch>

<https://www.broadcom.com/products/fibre-channel-networking/extension/7810-extension-switch>

<https://www.broadcom.com/products/fibre-channel-networking/switches/g610-switch>

<https://www.broadcom.com/products/fibre-channel-networking/switches/g720-switch>

<https://www.broadcom.com/products/fibre-channel-networking/directors/x7-directors>

<https://www.broadcom.com/products/fibre-channel-networking/extension/sx6-extension-blade>

<https://www.broadcom.com/products/fibre-channel-networking/switches/g620-switch>

<https://www.broadcom.com/products/fibre-channel-networking/switches/g630-switch>

<https://docs.broadcom.com/doc/Brocade-6505-EOL-OT>

<https://docs.broadcom.com/doc/53-1002449>

<https://docs.broadcom.com/doc/53-1002174>

<https://docs.broadcom.com/doc/12379855>

<https://docs.broadcom.com/doc/brocade-300-series-san-switch-eol-notice>

<https://docs.broadcom.com/doc/12379746>

<https://docs.broadcom.com/doc/12379845>

<https://docs.broadcom.com/doc/GA-FAQ-1901>

HIGHLY CONFIDENTIAL INFORMATION

In addition to the products running FOS identified above, when Extreme acquired the data center business from Brocade Communication Systems, Inc. in October 2017, the following product families were divested to Extreme: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Brocade did not sell these products after the divestiture. To the extent these products ran Brocade Communication Systems, Inc.'s operating systems (NOS and SLX OS) containing Plaintiffs' software prior to the divestiture to Extreme, such software was provided by SNMP International, Inc. pursuant to the License Agreement, which Plaintiffs allege was not terminated until at least July 25, 2019. Moreover, no breach is alleged to have occurred prior to October 2017. Given the divestiture of these products to Extreme in October 2017, information sought regarding release numbers and dates, customer shipments and end-of-life support, operating systems and processors, etc. is in Extreme's possession, not Brocade's. The extent to which these products contained SNMP Research software after the divestiture in 2017 is subject to expert analysis and review of the source code produced by Extreme and Plaintiffs.

INTERROGATORY NO. 2:

To the extent not fully Identified in response to Interrogatory number 1, Identify all Partner Products. For each Partner Product Identified, please include the name of the third party, name of the Product, model, material code, material description, all release numbers, date of each release, date of first customer shipment, date of end of support where applicable, target operating system

HIGHLY CONFIDENTIAL INFORMATION

and processor, software or firmware release version, and operating system and processor for cross development tools.

SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2:

Brocade objects to this Interrogatory as this jurisdiction is an improper venue for this action but is not withholding documents pursuant to this objection.

Subject to and without waiving these objections, Brocade responds as follows:

Per the April 22, 2022 Order, Brocade construes the terms “You,” “Your,” and “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Based on Plaintiffs’ explanations regarding the meaning of “Partner Products” in their Motion to Compel and the parties’ meet and confer discussions, where applicable, Brocade will construe the term “Partner Products” to refer to “the products identified in Paragraph 64 sold under other [third-party] brands”. (Motion to Compel at p. 16; see also Weber 7/20/21 email (defining “Partner Products” as products that “Brocade ships...through other OEMs under that OEM’s brand.”). Any of the products identified in response to Interrogatory number 1 can be sold as OEM branded. There are not additional products responsive to this Interrogatory beyond those products identified in response to Interrogatory number 1. The extent to which older FOS versions and/or products running FOS did or did not use SNMP Research software is subject to expert review and analysis of the source code and make files that were produced by the parties on April 22, 2022.

INTERROGATORY NO. 3:

With respect to the Products Identified in response to Interrogatory numbers 1 and 2, please Identify what SNMP Research Software, SNMP Research Product(s), and their release numbers are contained within each Identified Product and release.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3:

Brocade objects to this Interrogatory as premature as it first requires review of information in Plaintiff's possession, including its software and/or source code (withholding). Brocade further objects to this Interrogatory as seeking premature expert discovery, analysis, and opinion (withholding). Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Per the April 22, 2022 Order, Brocade construes the terms “You,” “Your,” and “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. To the extent the products identified in response to Interrogatory numbers 1 and 2 ran FOS using SNMP Research software after January 1, 2017, the SNMPRI version used would have been EMANATE/Lite Agent Version 16.2.0.9, which SNMP Research International, Inc. licensed to Brocade. However, Brocade’s customers do not receive source code, including any source code provided to Brocade by SNMPRI under the License Agreement, when they buy Brocade’s products. Rather, older versions of FOS have used software provided to Brocade by SNMPRI under the License Agreement, but Brocade has replaced the software provided by SNMPRI under the License Agreement with free, open source software provided by Net SNMP. Brocade does not know the contents of the works listed in Table 1 of Plaintiffs’ Complaint as those works are in Plaintiffs’ possession and currently subject to expert review and analysis. The extent to which older FOS versions and/or products running FOS did or did not use SNMP Research software is subject to expert review and analysis of the source code and make files that were produced by the parties on April 22, 2022.

INTERROGATORY NO. 4:

With respect to each Product Identified in response to Interrogatory numbers 1 and 2, please Identify the name, title, role, and dates of responsibility with respect to each Product and each release of all Persons who architected, defined, developed, tested, built, released, and/or managed the Source Code for each Product, including but not limited to: (1) the engineering development team leader; (2) Product manager; (3) developers of the SNMP Research based management sub systems; (4) build or toolchain engineers of the Products; (5) Source Code control systems personnel; and (6) personnel responsible for managing customer, debug, and other releases of software.

RESPONSE TO INTERROGATORY NO. 4:

Brocade objects to the extent that it does not track or maintain the information requested by Plaintiff, nor does it use the terminology and job descriptions used by Plaintiff. Brocade is not withholding information on this basis but rather is providing similar information in its possession to identify relevant personnel. Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

After conducting a reasonably diligent search and inquiry, Brocade does not track the information requested in the manner requested. Brocade is continuing to investigate the subject matter of this Interrogatory and reserves the right to supplement, amend, or revise its response to this Interrogatory to identify any non-privileged information uncovered in its ongoing investigation. The products identified in Interrogatory Nos. 1 and 2 run FOS. To date, Brocade has identified the following individuals who may have been involved in the development, testing, or management of FOS for the products listed in Interrogatory Nos. 1 and 2:

HIGHLY CONFIDENTIAL INFORMATION

1. Vamsi Balimidi (Senior Manager (November 2017 to present), Software Engineering Manager (December 2013 to November 2017), Software Engineer (October 2000-December 2013));
2. Dennis Makishima (VP Engineering, Storage Networking (January 2017 to present), VP Software Engineering (May 2015 to January 2017), Software Engineering (2000-2015));
3. Badri Kollu (Senior Director, Software Engineering (August 2001 to the present);
4. Nhan Pham (Senior Manager, R&D Software), Employment Period: 10/4/1999-present;
5. Lonnie Keller (Senior Manager, R&D Software Quality), Employment Period: 1/29/2007-4/6/2021;
6. Truls Myklebust (Product Manager), Employment Period: 3/24/2005-present;
7. Biju Raman (Senior Manager, R&D Software), Employment Period: 11/5/2007-present;
8. Tarun Bhatia (Senior Manager, R&D Software), Employment Period: 3/28/2005-present;
9. Mrunmayee Mardikar (R&D Software Quality Management), Employment Period: 6/28/2001-present;
10. Youself Vazir-zadeh (Product Manager), Employment Period: 2/13/2006 to 6/26/2020;
11. Greg Farris (Product Manager), Employment Period: 4/21/2008-present;
12. Yasar Khan (Engineer), Employment Period: October 2008 to present;
13. Prabhu Sundaram (Engineer), Employment Period: August 2016 to present;

HIGHLY CONFIDENTIAL INFORMATION

14. Violet Jen (Director of Engineering DevOps, Employment Period: August 2002 to present;

15. Zahid Hussain (VP Engineering (former)), Employment Period: prior to November 2017.

16. Blayne Rawsy (product manager for FOS), Employment Period: 2007 to present.

INTERROGATORY NO. 5:

With respect to each Product Identified in response to Interrogatory numbers 1 and 2, please Identify each Brocade customer, partner, or other third party who received each Brocade Product and the quantities of each Product received by quarter for the period January 1, 2017 to the present.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 5:

Brocade objects to the extent that it does not track or maintain the information as requested by Plaintiff. Brocade is not withholding information on this basis but rather is providing similar information in its possession responsive to this Interrogatory. Brocade objects to this Interrogatory as seeking premature expert discovery, analysis, and opinion (not withholding but subject to expert analysis and potential modification/revision/supplementation). Brocade further objects to this Interrogatory as it requires the disclosure of confidential and proprietary information of Brocade and third parties (not withholding, unless third parties secure protective orders from the Court). Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding). Brocade objects to this Interrogatory to the extent it seeks disclosure of any information, documents, or other tangible things that is protected by the attorney-client privilege or the attorney work product doctrine (only withholding if privileged analysis or communications exist or are created).

HIGHLY CONFIDENTIAL INFORMATION

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade does not track the information requested in this Interrogatory in the manner requested. Pursuant to Federal Rule of Civil Procedure 33(d), Brocade will produce non-privileged business records for this Interrogatory sufficient to enable Plaintiffs to ascertain substantially similar information to that requested. Concurrent with the service of these Interrogatory responses, Brocade is producing slide decks showing Brocade P/Ls going back to 2017. These slide decks do not include Sales, Finance, and all other General & Administrative costs. Brocade is also producing a raw extract of all general ledger transactions for Brocade products from the Oracle General Ledger (“OPROD Report”) for fiscal periods beginning Q3’18-Q2’22 (*i.e.*, the fiscal periods available in the ledger for Brocade product revenue history). Finally, Brocade is producing an Oracle Business Intelligence Report (aka Incorta) showing Brocade product revenue history for FY18Q3-FY22Q2 (BI Subledger Detail) 051322.xlsx. This report expands on the OPROD Report by aggregating additional data from the Oracle Sub-Ledgers, including attributes such as Customer, Product Hierarchy, etc., In essence, it provides enhanced detail to OPROD, but still has the same transactions and totals. Brocade product revenue history is not available in the General Ledger or Subledgers for the period January 1, 2017 through March 4, 2018, although the P/L slide decks mentioned above do provide higher level information going back to 2017. Brocade will also produce a compilation of this information. Brocade is continuing to search for additional product revenue history for the period Jan. 1, 2017 through March 4, 2018 that may have been archived, and will produce such information promptly if it is located after a reasonably diligent search.

INTERROGATORY NO. 6:

With respect to each Product Identified in response to Interrogatory numbers 1 and 2, please Identify the number of Products shipped, revenue and costs Related to each and every such Product, by quarter, from January 1, 2017 to the present, including, but not limited to: (1) any internal bookkeeping or financial analysis of any kind in which Brocade keeps track of the profitability of each Product, and (2) the number of units produced of each such Product.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 6:

Brocade objects to the extent that it does not track or maintain the information as requested by Plaintiff. Brocade is not withholding information on this basis but rather is providing similar information in its possession responsive to this Interrogatory. Brocade objects to this Interrogatory as seeking premature expert discovery, analysis, and opinion (not withholding but subject to expert analysis and related potential modification/revision/supplementation). Brocade further objects to this Interrogatory as it requires the disclosure of confidential and proprietary information of Brocade and third parties (not withholding unless third parties secure protective orders). Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding).

Brocade objects to this Interrogatory to the extent it seeks disclosure of any information, documents, or other tangible things that is protected by the attorney-client privilege and the attorney work product doctrine (withholding with respect to any privileged analyses and communications).

Subject to and without waiving these objections, Brocade responds as follows:

Per the Court's April 22, 2022 Order, Brocade construes the term "Brocade" to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC.

HIGHLY CONFIDENTIAL INFORMATION

Brocade does not track the information requested in this Interrogatory in the manner requested. Pursuant to Federal Rule of Civil Procedure 33(d), Brocade will produce non-privileged business records for this Interrogatory sufficient to enable Plaintiffs to ascertain substantially similar information to that requested. Concurrent with the service of these Interrogatory responses, Brocade is producing slide decks showing Brocade P/Ls going back to 2017. These slide decks do not include Sales, Finance, and all other General & Administrative costs. Brocade is also producing a raw extract of all general ledger transactions for Brocade products from the Oracle General Ledger (“OPROD Report”) for fiscal periods beginning Q3’18-Q2’22 (*i.e.*, the fiscal periods available in the ledger for Brocade product revenue history). Finally, Brocade is producing an Oracle Business Intelligence Report (aka Incorta) showing Brocade product revenue history for FY18Q3-FY22Q2 (BI Subledger Detail) 051322.xlsx. This report expands on the OPROD Report by aggregating additional data from the Oracle Sub-Ledgers, including attributes such as Customer, Product Hierarchy, etc. In essence, it provides enhanced detail to OPROD, but still has the same transactions and totals. Brocade product revenue history is not available in the General Ledger or Subledgers for the period January 1, 2017 through March 4, 2018, although the P/L slide decks mentioned above do provide higher level information going back to 2017. Brocade will also produce a compilation of this information. Brocade is continuing to search for additional product revenue history for the period Jan. 1, 2017 through March 4, 2018 that may have been archived, and will produce such information promptly if it is located after a reasonably diligent search. The extent to which the FOS versions and/or Products identified in Interrogatory numbers 1 and 2 do or do not (or did or did not) use SNMP Research software is subject to expert review and analysis of the source code and make files that have been produced by the parties. Likewise, the revenue

HIGHLY CONFIDENTIAL INFORMATION

and costs associated with the products, and related financial analysis, is subject to expert review and analysis.

INTERROGATORY NO. 7:

Identify each and every Person who is or has been involved in any search for Brocade Products containing SNMP Research Software, whether in response to these interrogatories or otherwise, including each Product and every software system that was searched.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 7:

Brocade objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding). Brocade objects to this Interrogatory to the extent it seeks disclosure of information protected by the attorney-client privilege and the attorney work product doctrine (withholding information concerning any searches that may have been performed as part of a privileged investigation).

Subject to and without waiving these objections, Brocade responds as follows:

Martin Skagen and Anthony Peiris. Information concerning which Brocade Products run FOS is publicly available (www.broadcom.com). The extent to which FOS versions and/or products running FOS did or did not use SNMP Research software is subject to expert review and analysis of the source code and make files that were produced by the parties on April 22, 2022. Additional information regarding FOS releases can be found in the document attached as Exhibit A hereto (Brocade Software Release Support and Posting Matrices, Reference Manual, Version 2.8, March 18, 2022), including the dates each release was first posted and made available to entitled Brocade customers. Pursuant to Federal Rule of Civil Procedure 33(d), Brocade has also produced non-privileged “Release Notes” for FOS releases dating back to before January 1, 2017, which list the products compatible with the release. The manifests accompanying the source code

HIGHLY CONFIDENTIAL INFORMATION

and binary code production further identify the source code and binary files produced by file name and file path.

INTERROGATORY NO. 8:

Identify all internal Communications in which there was any discussion or Communication whatsoever concerning: (1) whether Brocade had a right to use SNMP Research Software in Brocade Products, including but not limited to any particular Brocade Product; and (2) payment obligations of Brocade for the use of SNMP Research Software.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 8:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding). Brocade objects to this Interrogatory to the extent it seeks disclosure of communications that are protected by the attorney-client privilege and/or the attorney work product doctrine (withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Per the April 22, 2022 Order, Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Pursuant to Federal Rule of Civil Procedure 33(d), Brocade will produce non-privileged internal communications after January 1, 2017 concerning Brocade’s right to use SNMP Research software in Brocade products, and Brocade’s payment obligations to Plaintiffs for such use, to the extent such communications exist. However, despite conducting reasonably diligent search, Brocade is not currently aware of any such non-privileged internal communications.

INTERROGATORY NO. 9:

Identify the revenues and costs of any other Products or services (including but not limited to installation or other services) that were sold with or as a result of the purchase of the Products

HIGHLY CONFIDENTIAL INFORMATION

Identified in response to Interrogatory numbers 1 and 2. Please delineate the aforementioned revenues and costs by Product or service name.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 9:

Brocade objects to the extent that it does not track or maintain the information as requested by Plaintiff. Brocade is not withholding information on this basis but rather is providing similar information in its possession responsive to this Interrogatory. Brocade objects to this Interrogatory to the extent it requires the disclosure of confidential and proprietary information of Brocade and third parties (not withholding unless third parties secure protective order). Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding). Brocade objects to this Interrogatory to the extent it seeks disclosure of any information, documents, or other tangible things that is protected by the attorney-client privilege or the attorney work product doctrine (only withholding if created or identified).

Subject to and without waiving these objections, Brocade responds as follows:

Per the April 22, 2022 Order, Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Pursuant to Federal Rule of Civil Procedure 33(d), Brocade will produce non-privileged business records for this Interrogatory sufficient to enable Plaintiffs to ascertain substantially similar information to that requested. Concurrent with the service of these Interrogatory responses, Brocade is producing slide decks showing Brocade P/Ls going back to 2017. These slide decks do not include Sales, Finance, and all other General & Administrative costs. Brocade is also producing a raw extract of all general ledger transactions for Brocade products from the Oracle General Ledger (“OPROD Report”) for fiscal periods beginning Q3’18-Q2’22 (*i.e.*, the fiscal periods available in the ledger for Brocade product revenue history). Finally, Brocade is producing

HIGHLY CONFIDENTIAL INFORMATION

an Oracle Business Intelligence Report (aka Incorta) showing Brocade product revenue history for FY18Q3-FY22Q2 (BI Subledger Detail) 051322.xlsx. This report expands on the OPROD Report by aggregating additional data from the Oracle Sub-Ledgers, including attributes such as Customer, Product Hierarchy, etc., In essence, it provides enhanced detail to OPROD, but still has the same transactions and totals. Brocade product revenue history is not available in the General Ledger or Subledgers for the period January 1, 2017 through March 4, 2018, although the P/L slide decks mentioned above do provide higher level information going back to 2017. Brocade will also produce a compilation of this information. Brocade is continuing to search for additional product revenue history for the period Jan. 1, 2017 through March 4, 2018 that may have been archived, and will produce such information promptly if it is located after a reasonably diligent search.

INTERROGATORY NO. 10:

With respect to the Products Identified in response to Interrogatory numbers 1 and 2, Identify each and every third-party seller or reseller of each version, release, software or firmware release, and iteration of every Product and also Identify the releases of each Product sold by each seller or reseller.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 10:

Brocade objects to this Interrogatory because it does not track this information (not withholding but not in Brocade's possession). Brocade further objects to this Interrogatory as seeking premature expert discovery, analysis, and opinion (withholding only if such expert analysis is done). Brocade further objects to this Interrogatory as it requires the disclosure of confidential and proprietary information of Brocade and third parties (not withholding if information exists unless third parties secure protective orders). Brocade further objects to this Interrogatory to the extent this information is not in Brocade's possession, custody, or control and

HIGHLY CONFIDENTIAL INFORMATION

is in the possession, custody, or control of third parties (not withholding but not in Brocade's possession).

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding). Brocade objects to this Interrogatory to the extent it seeks disclosure of any information, documents, or other tangible things that is protected by the attorney-client privilege or the attorney work product doctrine (only withholding if created or identified).

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the terms "You," "Your," and "Brocade" to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade primarily sells its products to OEMs (e.g., Dell, NEC, Fujitsu, Hitachi Vantara (formerly HDS), Hewlett Packard Enterprise, Huawei, Inspur, IBM, Lenovo, NetApp, and Pure Storage) and does not track downstream sales by its customers to third-party sellers or resellers or sales by those third-party sellers or resellers to others.

INTERROGATORY NO. 11:

Identify all Brocade Products responsive to Interrogatory number 1 that were sold, licensed, transferred, or otherwise disclosed to Extreme. For each Product Identified, please include the name, model, material code, and material description.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 11:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding). Brocade further objects that information about these products after October 2017 is in the possession of Extreme (not withholding). Brocade further objects to the extent it does not use the same terminology Plaintiff uses for the categories requested (not withholding but providing similar information to sufficiently identify the product).

HIGHLY CONFIDENTIAL INFORMATION

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the terms “You,” “Your,” and “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. When Extreme acquired the data center business from Brocade Communication Systems, Inc. in October 2017, the following product families were divested to Extreme: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Brocade did not sell these products after the divestiture. To the extent these products ran Brocade operating systems containing Plaintiffs’ software prior to the divestiture to Extreme, such software was provided to Brocade by SNMP International, Inc. pursuant to the License Agreement. The extent to which these products used SNMP Research software after October 2017 is subject to expert analysis and review of the source code and make files produced by Extreme and Plaintiffs.

INTERROGATORY NO. 12:

Identify all contracts or agreements between Brocade and all third parties to which Brocade has provided, sold, licensed, or transferred (i) any or all of the Products Identified in response to Interrogatory number 1 or 2 or (ii) SNMP Research Software.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 12:

Brocade further objects to this Interrogatory to the extent it requires the disclosure of confidential and proprietary information of Brocade and third parties (not withholding on this basis unless a third party secures a protective order from the Court). Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

HIGHLY CONFIDENTIAL INFORMATION

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Pursuant to Rule 33(d), Brocade will produce non-privileged documents sufficient to identify agreements responsive to this Interrogatory, to the extent they exist. Brocade anticipates producing these documents on May 27, 2022 after giving the relevant third parties with confidentiality rights a reasonable opportunity to object or seek a protective order if they choose to do so.

INTERROGATORY NO. 13:

Identify all contracts or agreements between Broadcom and Brocade Relating to SNMP Research Software.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 13:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court has no personal jurisdiction over Broadcom (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade construes the term “Broadcom” to mean only the specific entity named as a defendant in this action, Broadcom Inc. There are no agreements between Brocade and Broadcom Inc. pertaining to Plaintiffs’ software.

INTERROGATORY NO. 14:

Identify by date and amount Brocade’s profits, losses, any purchase price allocation, and/or other financial interests in connection with the transfer (by disclosure, license, sale or otherwise) of SNMP Research Software that was/is in the possession of Brocade to Extreme. This interrogatory includes both direct and indirect profits, losses and/or financial interests.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 14:

Brocade objects that this Interrogatory assumes facts that have not been proven by SNMP (not withholding).

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. There are no profits, losses, purchase price allocations, and/or other financial interests to identify for Brocade responsive to this Interrogatory. Brocade has received no payments for any alleged transfer of Plaintiffs' software to Extreme. To the extent this Interrogatory is seeking the price paid by Extreme to acquire Brocade’s data center switching, routing, and analytics business in October 2017, although no amount of the purchase price was attributable to Plaintiffs’ software, this information is publicly available at www.sec.gov (under Company Filings, Extreme Networks). The acquisition was originally valued at \$55 million, which included \$35 million at closing and \$20 million in deferred payments over a five-year period. However, the \$20 million in deferred payments was never paid by Extreme. Moreover, Brocade had originally purchased this data center business from Foundry Networks in 2008 for \$2.6 billion, so the divestiture to Extreme was ultimately a loss for Brocade.

INTERROGATORY NO. 15:

Describe Broadcom’s involvement in the transfer (by disclosure, license, sale or otherwise) of SNMP Research Software that was/is in the possession of Brocade to Extreme, including without limitation the duration of Broadcom’s involvement and the Identity of the Persons involved and their roles.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 15:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action and this Court lacks personal jurisdiction over Broadcom.

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade construes the term “Broadcom” to mean only the specific entity named as a defendant in this action, Broadcom Inc. Broadcom Inc. is a parent holding company and was not involved in any transfer of Plaintiffs’ software to Extreme. For context, Broadcom Limited (Broadcom Inc.’s predecessor) acquired Brocade in November 2017 after Extreme purchased Brocade’s data center switching, routing and analytics business in October 2017. Broadcom Limited originally planned to purchase Brocade prior to Brocade’s divestiture to Extreme, but that did not end up happening due to delays caused by a review by the Committee on Foreign Investment in the United States (CFIUS). Information regarding these transactions is publicly available and can be found at www.sec.gov (under Company Filings, Extreme Networks).

INTERROGATORY NO. 16:

Describe Broadcom’s involvement in Brocade’s sale, production, disclosure, transfer, licensing, distribution, and/or creation of Products containing SNMP Research Software, including without limitation the duration of Broadcom’s involvement and the Identity of the Persons involved and their roles.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 16:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court does not have personal jurisdiction over Broadcom Inc. (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade construes the term “Broadcom” to mean only the specific entity named as a defendant in this action, Broadcom Inc. Broadcom Inc. is a holding company—not an operating company—and is not involved in the sale, production, disclosure, transfer, licensing, distribution, and/or creation of Brocade’s products, whether they contain SNMP Research software or not.

INTERROGATORY NO. 17:

If Brocade has ever acted as an agent for Broadcom, either directly or indirectly, please Identify all instances in which this occurred, by date, event, geographic location, and include the Identity of the Persons through whom Brocade acted.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 17:

Brocade objects to this Interrogatory because it seeks a legal conclusion as to the term “agent” (not withholding). Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court has no personal jurisdiction over Broadcom (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade construes the terms

HIGHLY CONFIDENTIAL INFORMATION

“Broadcom” to mean only the specific entity named as a defendant in this action, Broadcom Inc. Brocade is not aware of instances in which it has acted as an agent for Broadcom Inc. Broadcom Inc. is a holding company and Brocade Communications Systems LLC is its indirect subsidiary, but Brocade does not concede that this affiliation means Brocade Communications Systems LLC acts or has acted as the direct or indirect agent of Broadcom Inc. as a legal matter.

INTERROGATORY NO. 18:

Describe Broadcom’s direct or indirect involvement in marketing, advertising, selling, servicing, or distributing nationwide any Brocade Products containing SNMP Research Software.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 18:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court does not have personal jurisdiction over Broadcom Inc. (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Broadcom Inc. is a holding company and was not involved in the marketing, advertising, selling, servicing, or distributing nationwide of the products identified in Interrogatory No. 1. Brocade does post certain information about its products on www.broadcom.com, as Plaintiffs noted in their opposition to Defendants’ motion to dismiss/transfer, but Brocade does not believe this means Broadcom, Inc., a holding company, is involved in marketing, advertising, selling, servicing, or distributing Brocade products.

INTERROGATORY NO. 19:

With respect to all Brocade Products Identified in response to Interrogatory number 1, Identify each Product that, any time from October 1, 2017 to present, Broadcom was directly or indirectly involved in marketing, advertising, selling, servicing, or distributing in Tennessee.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 19:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court lacks personal jurisdiction over Broadcom Inc. (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade construes the term “Broadcom” to mean only the specific entity named as a defendant in this action, Broadcom Inc. Broadcom Inc. is a holding company and was not involved marketing, advertising, selling, servicing, or distributing the products identified in Interrogatory No. 1 in Tennessee.

INTERROGATORY NO. 20:

With respect to all Brocade Products Identified in response to Interrogatory number 1, Identify each Product that, any time from October 1, 2017 to present, Broadcom was directly or indirectly involved in marketing, advertising, selling, servicing, or distributing in the area encompassing all or part of the Eastern Grand Division of Tennessee, including but not limited to the University of Tennessee at Knoxville, Blue Cross Blue Shield of Tennessee, and Oak Ridge National Laboratory (ORNL) or Y12 National Security Complex, including their contractors.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 20:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court lack personal jurisdiction over Broadcom Inc. (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

HIGHLY CONFIDENTIAL INFORMATION

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade construes the term “Broadcom” to mean only the specific entity named as a defendant in this action, Broadcom Inc. Broadcom Inc. is a holding company and was not involved marketing, advertising, selling, servicing, or distributing the products identified in Interrogatory No. 1 in the area encompassing the Eastern Grand Division of Tennessee.

INTERROGATORY NO. 21:

Identify all Brocade partners or distributors marketing, advertising, selling, or distributing Products containing SNMP Research Software in or to Tennessee. Please organize each answer by Tennessee Grand Division (Eastern, Middle, and Western).

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 21:

Brocade objects to this Interrogatory to the extent this information is not in Brocade’s possession, custody, or control and is in the possession, custody, or control of third parties or Plaintiffs (not withholding, but Brocade does not maintain this information).

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court lacks personal jurisdiction over Broadcom Inc. (not withholding)

Subject to and without waiving these objections, Brocade responds as follows:

Brocade construes the term “Brocade” to mean only the specific entity named as a defendant in this action, Brocade Communications Systems LLC. Brocade does not possess the information requested.

INTERROGATORY NO. 22:

Identify each individual who answered or contributed to any of the answers to these interrogatories designating the number of each interrogatory for which such Person(s) furnished information.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 22:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

The following individuals contributed to answering Brocade's supplemental responses to Interrogatories: Other than counsel, Martin Skagen (all), Anthony Peiris (product info), Steve Gleason (5, 6, 9), Seth Johnson (5,6,9), and Dennis Makishima (FOS info).

INTERROGATORY NO. 23:

Identify each individual with knowledge of the information contained in any of the answers to these interrogatories designating the number of each interrogatory for which such Person(s) has knowledge.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 23:

Brocade further objects to this Interrogatory as this jurisdiction is an improper venue for this action (not withholding) and this Court lacks personal jurisdiction over Broadcom Inc. (not withholding).

Subject to and without waiving these objections, Brocade responds as follows:

Other than counsel, the following individual may have general knowledge regarding the information provided in all of these interrogatory responses: Jack Rondoni (BSN SVP & GM), Martin Skagen (VP R&D SAN USA), Jim Tooley (VP Services & Support SAN USA), Marty

HIGHLY CONFIDENTIAL INFORMATION

Lans (Product Marketing Mgmt USA), Scott Shimomura (Product Marketing Mgmt USA), Francis Chai (Product Marketing Mgmt SGP), Henrik Hansen (EMEA BSN Marketing Director GBR), Steve Gleason (Finance, ROGs 5, 6, 9), Seth Johnson, Finance, ROGS 5, 6, 9); Mark Brazeal (Broadcom Inc. related interrogatories).

The individuals listed in Interrogatory No. 4 may also have knowledge of the information contained in the responses to these Interrogatories relating to Brocade's products and FOS:

1. Vamsi Balimidi (Senior Manager (November 2017 to present), Software Engineering Manager (December 2013 to November 2017), Software Engineer (October 2000-December 2013));
2. Dennis Makishima (VP Engineering, Storage Networking (January 2017 to present), VP Software Engineering (May 2015 to January 2017), Software Engineering (2000-2015));
3. Badri Kollu (Senior Director, Software Engineering (August 2001 to the present);
4. Nhan Pham (Senior Manager, R&D Software), Employment Period: 10/4/1999-present;
5. Lonnie Keller (Senior Manager, R&D Software Quality), Employment Period: 1/29/2007-4/6/2021;
6. Truls Myklebust (Product Manager, Hardware Engineer USA), Employment Period: 3/24/2005-present;
7. Biju Raman (Senior Manager, R&D Software), Employment Period: 11/5/2007-present;
8. Tarun Bhatia (Senior Manager, R&D Software), Employment Period: 3/28/2005-present;

HIGHLY CONFIDENTIAL INFORMATION

9. Mrunmayee Mardikar (R&D Software Quality Management), Employment Period: 6/28/2001-present;
10. Youself Vazir-zadeh (Product Manager), Employment Period: 2/13/2006 to 6/26/2020;
11. Greg Farris (Product Manager), Employment Period: 4/21/2008-present;
12. Yasar Khan (Engineer), Employment Period: October 2008 to present;
13. Prabhu Sundaram (Engineer), Employment Period: August 2016 to present;
14. Violet Jen (Director of Engineering DevOps, Employment Period: August 2002 to present;
15. Zahid Hussain (VP Engineering (former)), Employment Period: prior to November 2017.
16. Blayne Rawsky (product manager for FOS), Employment Period: 2007 to present
17. Anthony Peiris

Moreover, other individuals identified in the parties' initial disclosures may have general knowledge of the information contained in the answers to all of these Interrogatories. From Brocade's initial disclosures, individuals not already named above include Larry Fitterer. Current Brocade employees can be reached through counsel for Brocade.

Dated: May 13, 2022

HUESTON HENNIGAN LLP

By: /s/ Alison Plessman
Alison Plessman
Attorneys for Defendants
Broadcom Inc.
Brocade Communications Systems LLC

VERIFICATION

STATE OF CALIFORNIA)
)
COUNTY OF SANTA CLARA) ss.

I have read the foregoing SECOND SUPPLEMENTAL RESPONSES AND OBJECTIONS TO SNMP RESEARCH, INC.'S FIRST SET OF INTERROGATORIES and know its contents. I am vice president of product architecture at Brocade Communications Systems LLC, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 13th day of May, 2022, at San Jose, California.



Martin Skagen

EXHIBIT A

Brocade Software Software Release Support and Posting Matrices

**Reference Manual
Version 2.8**

Copyright © 2019–2022 Broadcom. All Rights Reserved. The term “Broadcom” refers to Broadcom Inc. and/or its subsidiaries. For more information, go to www.broadcom.com. All trademarks, trade names, service marks, and logos referenced herein belong to their respective companies.

Broadcom reserves the right to make changes without further notice to any products or data herein to improve reliability, function, or design. Information furnished by Broadcom is believed to be accurate and reliable. However, Broadcom does not assume any liability arising out of the application or use of this information, nor the application or use of any product or circuit described herein, neither does it convey any license under its patent rights nor the rights of others.

The product described by this document may contain open source software covered by the GNU General Public License or other open source license agreements. To find out which open source software is included in Brocade products, to view the licensing terms applicable to the open source software, and to obtain a copy of the programming source code, please download the open source disclosure documents in the Broadcom Customer Support Portal (CSP). If you do not have a CSP account or are unable to log in, please contact your support provider for this information.

Table of Contents

Chapter 1: Introduction	4
Chapter 2: Legends	5
Chapter 3: Definitions	6
Chapter 4: FOS Release Support and Posting Status Matrices	8
Chapter 5: SANnav Release Support and Posting Status Matrices	11
Chapter 6: Brocade Network Advisor (BNA) Release Support and Posting Status	12
Appendix A: Target Path	13
Revision History	14

Chapter 1: Introduction

The contents of this document specify the support status, posting state, FICON qualification status, and Target Path recommendations for all releases of the Brocade® Fabric OS® (FOS), SANnav™, and Brocade Network Advisor software products. This document is updated whenever there is a change in support, qualification, Target Path designation, or posting status for a release or when new releases are available. Updates are also made when Broadcom has posted notification of or transitioned to End of Availability (EOA) for a software release.

Chapter 2: Legends

The heading row for each table in this document has a background color that indicates the current support status for the releases listed in the table. The color coding is defined as follows.

Latest, Established, or Minimum Major Version Level All releases in this table are SUPPORTED.
Established or Minimum Major Version Level All releases in this table are currently SUPPORTED but are transitioning to UNSUPPORTED at the EOA date.
Legacy Major Version Level Releases listed in this table are UNSUPPORTED with the exception of releases designated for support of select platforms or capabilities only.
Various Version Levels and Releases All releases or version levels listed in this table are UNSUPPORTED.

Within the tables in this document, the color used for a cell denotes the support status and/or special designations or qualifications for the release as follows.

Target Path version.
FICON qualified version.
Supported and posted but not Target Path or FICON qualified.
Supported but not posted; migrating to newer or alternative posted release is recommended.
Supported only on noted platforms or for specific feature support.
Currently supported but in the EOA transition period and within 6 months of being unsupported.
Unsupported.

Chapter 3: Definitions

Supported Software – Supported software is defined as any version of Brocade software that *has not* reached End of Availability (EOA) or End of Support (EOS) status. For these versions of software, Broadcom provides full assistance to find the root cause of reported issues up to and including providing any patches to said software.

Unsupported Software – Unsupported software is defined as any version of Brocade software that *has* reached End of Availability (EOA) or End of Support (EOS) status. For these versions of software, as long as the user has valid entitlement, Broadcom will take a support call and provide limited assistance in determining the root cause; Broadcom will not provide engineering assistance or patches, and the user will be asked to upgrade to a supported version of software.

End of Availability (EOA) – The date that the specified software release or version level is no longer available from Broadcom and is typically no longer supported. A release that has reached EOA status may in some cases still be supported for certain platforms or scenarios only if noted explicitly by Broadcom. Releases that are currently supported but are transitioning to unsupported are highlighted in this document ahead of the EOA date to provide time to schedule upgrades as necessary.

General Availability (GA) – The date that a software release was first posted and made available with support to entitled Broadcom customers.

Major Release – The second integer of the three-digit software version release number that typically advances when major new software functional changes are included for new features and/or platform support. For example, the “2” in FOS v7.2.5b represents the Major Release version.

Latest Major Version – The newest Major Release version level of firmware or software, also referred to as the “Current Release Level.”

Established Major Version – The previous Major Release version level of firmware or software, sometimes referred to as “One Release Level Back.”

Minimum Major Version – The oldest Major Release version level of FOS firmware that is classified as “Supported Software,” sometimes referred to as “Two Release Levels Back.” SANnav software does not have a designated Minimum Major Version.

Legacy Supported Release – An older Major Release version of FOS firmware that continues to be classified as “Supported Software” in order to support older hardware platforms that are not supported for upgrade to the Minimum Major Version or later. Legacy Supported Releases are supported only for select designated platforms.

FICON Qualified – A firmware or software release that has been specifically tested and certified for use in FICON environments. A release that was once designated as FICON Qualified but has newer versions that are FICON Qualified on the same code stream is referred to as “Retired FICON Qualified.”

Target Path – A recommended version of software that is intended for general use in Brocade Fibre Channel storage area networks. A specified release of software is identified as Target Path only after it meets well-defined criteria for quality. A version of software that was once designated as Target Path but has since been replaced by newer versions of Target Path on the same code stream is referred to as “Retired Target Path.” For additional information on Target Path software, refer to Appendix A.

Posting Status – The state of availability of a software release on the Broadcom sites. “Posted” means that the software is available from Broadcom or Broadcom partners for users with valid entitlement. “Not Posted” indicates that the software is no longer available from Broadcom or Broadcom partners. Not Posted status does not necessarily indicate that the software release is no longer supported. If the Posting Status includes “(LW),” then the release is also available for Lifetime Warranty platforms. Not all posted releases are available for Lifetime Warranty.

Platform Specific Download (PSD) – FOS PSD releases are versions of a full FOS release image that can be loaded only on a single hardware platform, consisting of a single switch model or group of switch models. Unlike traditional FOS release images that can be installed on any supported Brocade switch and director, FOS PSD images must be downloaded separately for each platform that the FOS release will be used on. The full list of unique FOS PSD images available for a release and the models that each PSD image supports are noted in the FOS release notes. Any FOS release listed in this document as “Posted” is available only in PSD image form.

Chapter 4: FOS Release Support and Posting Status Matrices

Note: For recommended upgrade or migration paths between FOS releases, refer to Knowledge Base (KB) article ID 14365 for Open Systems environments and KB article ID 14366 for FICON environments.

Latest Major Version (Supported): FOS v9.1.X					
Version	GA Date	Target Path	FICON Qualified	Posting Status	Notes
FOS v9.1.0b	March 16, 2022			Posted	
FOS v9.1.0a	N/A			Not Posted	Internal qual release only.
FOS v9.1.0	December 15, 2021			Posted	

Established Major Version (Supported): FOS v9.0.X					
Version	GA Date	Target Path	FICON Qualified	Posting Status	Notes
FOS v9.0.1d	March 16, 2022	Pending*		Posted	*Unless updated, this release will become Target Path on April 16, 2022.
FOS v9.0.1c	September 24, 2021	Yes		Posted (LW)	
FOS 9.0.1b4	September 30, 2021	Yes	Yes - See note	Posted	9.0.1b4 is considered to be FICON qualified as it contains minimal specific changes on the FICON qualified release.
FOS v9.0.1b	April 30, 2021	Yes – See note	Yes	Not Posted	FOS v9.0.1b is considered Target Path with the caveat of Defect FOS-831875/TSB-2021-279-A and Defect FOS-832100/TSB-2021-280-A. Both issues are resolved in v9.0.1b4 and later releases.
FOS v9.0.1a2	July 26, 2021		Retired	Posted	9.0.1a2 is considered to be FICON qualified as it contains minimal specific changes on the FICON qualified release.
FOS v9.0.1a	March 10, 2021		Retired	Not Posted	
FOS v9.0.1	N/A			Not Posted	For internal and partner qual use only.
FOS v9.0.0b	September 2, 2020		Retired	Not Posted	
FOS v9.0.0a	June 24, 2020			Not Posted	
FOS v9.0.0	April 30, 2020			Not Posted	

Minimum Major Version (Supported): FOS v8.2.X					
Version	GA Date	Target Path	FICON Qualified	Posting Status	Notes
FOS v8.2.3b	December 14, 2021	Yes		Posted	
FOS v8.2.3a1	July 23, 2021	Yes	Yes - See note	Posted	8.2.3a1 is considered to be FICON qualified as it contains minimal specific changes on the FICON qualified release.
FOS v8.2.3a	June 26, 2021	Yes - See note	Yes	Not Posted	FOS v8.2.3a is considered Target Path with the caveat of Defect FOS-831875/TSB-2021-279-A (SNMP applications lose connection during MIB walk).
FOS v8.2.3_03	February 25, 2021		Retired	Posted	FOS v8.2.3_03 is considered FICON qualified based upon the 8.2.3 qual status.
FOS v8.2.2d4	September 29, 2020	Retired		Not Posted	
FOS v8.2.2c6	June 26, 2020	Retired	Retired	Not Posted	Minimum recommended version for IP Extension.
FOS v8.2.2b	February 27, 2020			Not Posted	
FOS v8.2.2a	December 30, 2019		Retired	Not Posted	
FOS v8.2.2	September 12, 2019			Not Posted	
FOS v8.2.1e	June 30, 2020	Retired		Not Posted	
FOS v8.2.1d	January 10, 2020	See Notes*		Not Posted	*Target Path for director-class switches only.
FOS v8.2.1c	July 2, 2019	Retired		Not Posted	
FOS v8.2.1b	February 13, 2019			Not Posted	
FOS v8.2.1a	November 17, 2018			Not Posted	
FOS v8.2.1	August 28, 2018			Not Posted	
FOS v8.2.0b	April 10, 2018			Not Posted	
FOS v8.2.0a	March 6, 2018		Retired	Not Posted	
FOS v8.2.0	November 30, 2017			Not Posted	

Legacy Supported Release (Supported Only as Specified): FOS v7.4.X

Version	GA Date	EOA Date	Target Path	FICON Qualified	Posting Status	Notes
FOS v7.4.2h	July 13, 2021	October 31, 2024	Yes		Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.2g	August 10, 2020	October 31, 2024	Retired		Not Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.2f	February 3, 2020	October 31, 2024	Retired		Not Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.2e	September 19, 2019	October 31, 2024	Retired		Not Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.2d	October 11, 2018	October 31, 2024	Retired		Not Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.2c	February 2, 2018	October 31, 2024	Retired		Not Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.2a	Jun 30, 2017	November 14, 2019	Retired		Not Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.2	April 4, 2017	March 30, 2019			Not Posted	Supported on Gen 4 (8G) 300 and 7800 platforms only.
FOS v7.4.1d	July 15, 2016	October 31, 2024		Retired	Not Posted	Supported on the 7800 FICON platform only, until 10/31/24.

Unsupported Versions

Version	GA Date	EOA Date	Posting Status	Notes
FOS v8.1.X	N/A	March 15, 2022	Not Posted	All patches and releases are unsupported per policy.
FOS v8.0.X	N/A	July 30, 2020	Not Posted	All patches and releases are unsupported per policy.
FOS v7.4.2x	N/A	November 14, 2019	Not Posted	All patches and releases are unsupported per policy unless listed in Legacy Supported Releases table.
FOS v7.4.1x	N/A	March 30, 2019	Not Posted	All patches and releases are unsupported per policy.
FOS v7.4.0x	N/A	March 30, 2019	Not Posted	All patches and releases are unsupported per policy.
FOS v7.4.2b	December 7, 2017	February 2, 2018	Not Posted	Unsupported and should not be installed.
FOS v7.3.X	N/A	March 14, 2017	Not Posted	All patches and releases are unsupported per policy.
FOS v7.2.X	N/A	March 16, 2016	Not Posted	All patches and releases are unsupported per policy.
FOS v7.1.X	N/A	October 15, 2015	Not Posted	All patches and releases are unsupported per policy.
FOS v7.0.X	N/A	September 27, 2014	Not Posted	All patches and releases are unsupported per policy.
FOS v6.4.X	N/A	July 23, 2014	Not Posted	All patches and releases are unsupported per policy.
All Older Versions	N/A	N/A	Not Posted	All patches and releases are unsupported per policy.

Chapter 5: SANnav Release Support and Posting Status Matrices

Latest Major Version (Supported): SANnav v2.2.X					
Version	GA Date	Target Path	FICON Qualified	Posting Status	Notes
SANnav v2.2.0.1	February 28, 2022			Posted	Updates for Log4j CVE mitigation.
SANnav v2.2.0	December 15, 2021			Posted	

Established Major Version (Supported): SANnav v2.1.X					
Version	GA Date	Target Path	FICON Qualified	Posting Status	Notes
SANnav MP v2.1.1.7 & GV v2.1.1.2	March 1, 2022			Posted	Additional updates for Log4j CVE mitigation.
SANnav MP v2.1.1.6 & GV v2.1.1.1	February 18, 2022			Not Posted	Updates for Log4j CVE mitigation (this patch has been replaced by 2.1.1.7/2.1.1.2).
SANnav MP v2.1.1.4	July 26, 2021			Not Posted	SANnav Management Portal v2.1.1 CSI patch includes changes from 2.1.1.1, 2.1.1.2, and 2.1.1.3. (Patch must be applied to 2.1.1—not a standalone release.)
SANnav MP v2.1.1.3	June 26, 2021			Not Posted	SANnav Management Portal v2.1.1 patch with support for FOS PSD images. (Patch must be applied to 2.1.1—not a standalone release.)
SANnav v2.1.1	December 18, 2020	Yes	Yes	Posted	Used during FICON qualification of FOS v9.0.1a.
SANnav v2.1.0a	August 28, 2020		Yes	Posted	Used during FICON qualification of FOS v9.0.0b.
SANnav v2.1.0	April 30, 2020			Posted	

Unsupported and Pending Unsupported Versions				
Version	GA Date	EOA Date	Posting Status	Notes
SANnav v2.0.0a	October 15, 2019	March 15, 2022	Not Posted	Restricted availability patch for AMP support only.
SANnav v2.0.0	September 26, 2019	March 15, 2022	Not Posted	All patches and releases are unsupported per policy.
All Older Versions			Not Posted	All patches and releases are unsupported per policy.

Chapter 6: Brocade Network Advisor (BNA) Release Support and Posting Status

The Brocade Network Advisor product reached End of Support on February 8, 2022. BNA is no longer supported or available for download.

Appendix A: Target Path

Target Path is defined as a Broadcom-recommended firmware or software release that is intended for general use in Brocade Fibre Channel storage area networks. A specified release of firmware or software is identified as Target Path only after it meets the following criteria:

- The selected release was created primarily for stability and reliability and not for the introduction of new features. This release may contain Reliability, Availability, and Serviceability (RAS) improvements and enhancements, but it will not introduce major new features or hardware support.
- The selected release has been qualified and is supported by multiple OEMs. This broad qualification makes it an ideal option for environments in which customers procure products from more than one vendor.
- The selected release has been deployed in a number of end-user production environments for a period of time sufficient to evaluate the release as being high quality. The release must have no reported known pervasive or impacting issues, no critical defects, and no issues identified as critical or service-impacting by a Technical Service Bulletin (TSB).
- Check with your OEM for their recommended Target Path version.

The Target Path guidelines are used to establish a release that meets a standard level of quality, which then can be used to identify a general recommendation for customers. Always refer to the product release notes and carefully review the “Important Notes and Known Defects” information, and listen to any guidance from your service provider before selecting and installing any version of firmware or software since every environment might have unique requirements.

The Target Path release designation in no way implies or guarantees that a release will be free of defects or will not contain behavioral issues that could cause an impact in a production environment. However, following the Target Path release recommendations produces the most trouble-free environments for data-center storage area networks (SANs) that use Brocade switching platforms.

Once a specific Brocade firmware or software version is identified as a Target Path release, all released patches (that is, releases that are identified with a different letter appended to the release number) that are released on the same code stream can also be considered recommended Target Path releases. Fixes and code changes released via patches are carefully managed to maintain the Target Path designation. Whenever more significant code changes are required, the version number will be increased to indicate that the Target Path designation could not be maintained.

When selecting a Target Path version, it is recommended to always select the latest patch on the Target Path release stream. These newer patch releases may be considered Target Path releases after a very short exposure time because patch releases typically contain minimal changes from their predecessors. Since the stability of the major code level release has already been verified, it is unnecessary to wait for additional field exposure. These newer patches will contain the latest fixes and updates to maintain and provide the highest quality firmware or software version available.

Versions of FOS that are identified as Target Path can also be “retired” over time. As new Target Path patches on the same code stream are released, FOS versions identified as Target Path that are over 18 months old may be identified as *Retired* Target Path releases if there are two or more newer Target Path releases available on the same code stream with at least one that has been available for a minimum of one year. Customers who are planning upgrades should select from the latest patches on the Target Path code stream; the Target Path designation will be noted as “Retired” for these older code versions to help guide users to the latest and highest quality patches available.

Revision History

Version 2.8; Brocade-SW-Support-RM110; March 18, 2022

- Added new FOS and SANnav releases.
- Updated information on Retired Target Path.
- Moved several FOS Target Path releases to Retired status.
- Removed BNA information following the transition to EOS.
- Transitioned FOS v8.1.X and SANnav v2.0.X to unsupported status.
- Added information on FOS Posting Status for Lifetime Warranty (LW) platforms.

Version 2.7; Brocade-SW-Support-RM109; December 20, 2021

- Added new FOS v9.1.0 and SANnav v2.2.0 releases.
- Updated Pending Unsupported information for FOS and SANnav.
- Made Target Path and FICON Qualified updates for FOS releases.
- Clarified FOS CCE release information and caveats.

Version 2.6; Brocade-SW-Support-RM108; September 29, 2021

- Added new FOS v9.0.1c and v9.0.1b4 releases.

Version 2.5; Brocade-SW-Support-RM107; September 8, 2021

- Updates for FOS Target Path.

Version 2.4; Brocade-SW-Support-RM106; July 26, 2021

- Updated with new posted FOS and SANnav releases.
- Updated with the FOS Target Path designation for the G620 and G630.

Version 2.3; Brocade-SW-Support-RM105; July 2, 2021

- Updated with new posted FOS versions.
- Consolidated "Not Posted" status.

Version 2.2; Brocade-SW-Support-RM104; June 26, 2021

- Added SANnav Target Path information.
- Updated posting status for FOS releases.
- Added FOS v8.2.3a and SANnav 2.1.1.3.
- Added information on FOS Platform Specific Downloads (PSDs) and releases available as FOS PSD images.
- Added new release posting status color coding (orange) for posted code.

Version 2.1; Brocade-SW-Support-RM103; April 23, 2021

- Added information on "Retired Target Path" (RTP) and designated RTP releases.
- Added new FOS releases and a new SANnav release.

Version 2.0; Brocade-SW-Support-RM102; October 20, 2020

- Added the “Definitions” section.
- Incorporated Target Path information.
- Added FOS v9.0.0b and v8.2.2d.
- Transitioned FOS v8.0.X to unsupported status.
- Updated for SANnav 2.1.0a.

Version 1.4; Brocade-SW-Support-RM101; July 24, 2020

- Updated for FOS v9.0.0a, v8.2.2c, v8.2.1e, and v8.1.2k.
- Added FICON qualified status for SANnav 2.1.0.
- Updated language on providing unsupported releases for migration.
- Noted removal date for posted releases nearing EOA.

Version 1.3; Brocade-SW-Support-RM100; May 11, 2020

- Updated for FOS v9.0.0 and SANnav 2.1.0.
- Updated the FOS v8.2.1d and v8.1.2j Target Path status.
- Updated the FOS v8.0.2b and v7.4.1d status.
- Updated the document layout and format.

Version 1.2; March 20, 2020

- Updated for FOS v8.2.2b.
- Designated BNA 14.4.5 as a Target Path; transitioned the 14.4.x releases to Not Posted.

Version 1.1; January 31, 2020

- EOA notification and transition period for FOS v8.0.x and SANnav 1.1.x.
- Updated FOS v7.4.x legacy releases for corrections and change in support status.
- Added new releases (FOS v8.2.1d, FOS v7.4.2f, BNA 14.4.5).
- Other miscellaneous minor updates.

Version 1.0; December 20, 2019

- Initial document release.

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 620 Newport Center Drive, Suite 1300, Newport Beach, CA 92660.

On May 13, 2022, I served the foregoing document(s) described as:

BROCADE COMMUNICATIONS SYSTEMS LLC'S SECOND SUPPLEMENTAL RESPONSES AND OBJECTIONS TO SNMP RESEARCH, INC.'S FIRST SET OF INTERROGATORIES

on the interested parties in this action as stated below:

John L. Wood, Esq.
Cheryl G. Rice, Esq.
Rameen J. Nasrollahi,
EGERTON, McAFEE, ARMISTEAD &
DAVIS, P.C.
900 S. Gay Street, Suite 1400
P.O. Box 2047
Knoxville, TN 37902 jwood@emlaw.com
crice@emlaw.com
rnasrollahi@emlaw.com

Morgan Chu
David Nimmer
A. Matthew Ashley
Olivia Weber
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
mchu@irell.com
dnimmer@irell.com
mashley@irell.com
oweber@irell.com

*Attorneys for SNMP Research, Inc. and SNMP
International, Inc.*

John M. Neukom
DEBEVOISE & PLIMPTON LLP
650 California Street
San Francisco, CA 94108
jneukom@debevoise.com

Leslie A. Demers
SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
One Manhattan West
New York, New York 10001
Leslie.demers@skadden.com

Attorneys for Extreme Networks, Inc

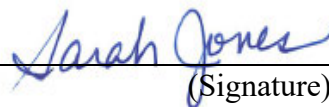
☒ (BY E-MAIL) By transmitting the documents listed above to the e-mail addresses set forth above.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

HIGHLY CONFIDENTIAL INFORMATION

Executed on May 13, 2022, at Newport Beach, California.

Sarah Jones
(Type or print name)


(Signature)